

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re

Lordstown Motors Corp., *et al.*¹

Debtors.

Chapter 11

Case No. 23-10831 (MFW)

(Jointly Administered)

Re: D.I. 248, 253, 322

**CERTIFICATION OF COUNSEL CONCERNING ORDER
APPROVING THE SETTLEMENT AGREEMENT BY AND
AMONG THE DEBTORS AND KARMA AUTOMOTIVE LLC**

The undersigned hereby certifies as follows:

1. On August 15, 2023, the debtors and debtors in possession in the above-captioned cases (collectively, the “**Debtors**”) filed the *Debtors’ Motion Under Bankruptcy Rule 9019 For Entry of An Order Approving the Settlement Between Lordstown Motor Corporation and Karma Automotive LLC* [D.I. 248] (the “**Settlement Motion**”) with the United States Bankruptcy Court for the District of Delaware, 824 North Market Street, 3rd Floor, Wilmington, Delaware 19801 (the “**Bankruptcy Court**”). Pursuant to the Settlement Motion, the Debtors are seeking entry of an order (i) approving the settlement by and among the Debtors and Karma Automotive LLC (“**Karma**”), substantially in the form attached to the Proposed Order (as defined in the Settlement Motion) as Exhibit 1 thereto and (ii) granting related relief.

2. Pursuant to the *Order Shortening Notice and Objection Periods For “Debtors’ Motion Under Bankruptcy Rule 9019 For Entry of An Order Approving the Settlement Between*

¹ The Debtors and the last four digits of their respective taxpayer identification numbers are: Lordstown Motors Corp. (3239); Lordstown EV Corporation (2250); and Lordstown EV Sales LLC (9101). The Debtors’ service address is 27000 Hills Tech Ct., Farmington Hills, MI 48331.

Lordstown Motor Corporation and Karma Automotive LLC”, entered on August 15, 2023 [D.I. 253], objections or responses to the Settlement Motion were to be filed and served no later than 4:00 p.m. (Eastern Daylight Time) on August 24, 2023 (the “**Objection Deadline**”). A hearing to consider the relief requested in the Settlement Motion is currently scheduled to take place before the Bankruptcy Court on August 28, 2023 starting at 10:30 a.m. (Eastern Daylight Time).

3. Prior to the Objection Deadline, the Office of the United States Trustee for the District of Delaware (the “**U.S. Trustee**”) provided informal comments to the Settlement Motion (the “**Informal Response**”).

4. Other than the Informal Response, as of the date hereof, the Debtors have not received any other responses or objections in connection with the Settlement Motion, nor do any objections thereto appear on the Bankruptcy Court’s docket in the Debtors’ chapter 11 cases. To fully resolve the Informal Response, the Debtors have (i) filed the *Declaration of Daniel Ninivaggi In Support of Debtors’ Motion Under Bankruptcy Rule 9019 For Entry of An Order Approving the Settlement Agreement By and Among the Debtors and Karma Automotive LLC*, dated August 25, 2023 [D.I. 322] and (ii) prepared a revised form of order (the “**Revised Order**”) in connection with the Settlement Motion. A copy of the Revised Order is attached hereto as **Exhibit A**. A redline, comparing the Revised Order against the form of order originally filed along with the Settlement Motion is attached hereto as **Exhibit B**.

5. The Revised Order has been circulated to (i) the Debtors; (ii) the U.S. Trustee; (iii) counsel to the Creditors’ Committee; and (iv) counsel to Karma, and each of the parties to whom the Revised Order was circulated has indicated that it has no objection to the entry of the Revised Order.

6. The Debtors therefore respectfully request that the Bankruptcy Court enter the

Revised Order, substantially in the form attached hereto as **Exhibit A**, at its earliest convenience.

[Remainder of page intentionally left blank.]

Dated: August 25, 2023

Respectfully submitted,

/s/ Jason M. Madron

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